

Application No. 10/043518
Amendment dated January 10, 2006
Reply to Office Action of December 22, 2005

Docket No.: 62495-00003USPT

REMARKS

Reconsideration of the present application as amended is respectfully requested. Claims 25, 40, and 47 have been amended. Withdrawn claims 20, 29-34, 39, and 42 have been canceled. Claims 21, 23-25, 27-28, 40, and 43-58 are currently pending.

Claims 21, 23-25, 27-28, 43-46 and 51-58 have been indicated by the Examiner as allowed. Claims 40 and 47-50 have been indicated as allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, 2nd paragraph set forth in the Office Action.

Claims 40 and 47-50 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicant has amended independent claims 40 and 47 to include features similar to those found in independent claims 25 and 21, respectively. In particular, independent claim 40 has been amended to include the patentable feature of "a vibrating assembly that does not directly actuate the supported fishing line", and independent claim 47 has been amended to delete reference to "or move" and thus recite the feature of "a vibrating assembly...which when activated, causes vibration to be initiated at the handle end of the fishing pole to effectuate vibration of the fishing pole but does not itself physically touch the supported fishing line." In view of the foregoing, Applicant respectfully requests that the 35 U.S.C. 112, second paragraph rejections of claims 40 and 47-50 be withdrawn.

Claim 25 has been amended to correct a typographical error.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Dated: January 10, 2006

Respectfully submitted,

By Michael W. Maddox

Michael W. Maddox

Registration No.: 47,764

JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202

(214) 855-4500

Attorneys For Applicant